



BUSINESS MEETING OF THE
MICHIGAN LIQUOR CONTROL COMMISSION

Held: Tuesday, January 14, 2014
Lansing District Office
7150 Harris Drive
Lansing MI 48909

Present: Andrew J. Deloney, Chairman
Teri L. Quimby, Commissioner
Dennis Olshove, Commissioner

Absent: None

Staff: Steve Robinson, Director of Finance Division
Julie Wendt, Director of Executive Services Division
Kerry Krone, Business Manager
Jason Geissler, Assistant Attorney General's Office
Anita Fawcett, Executive Services Division

The meeting was called to order by Chairman Deloney at 9:36 a.m., noting a quorum was present.

- I. **Moved by Commissioner Quimby, supported by Commissioner Olshove, that the minutes of the Commission meeting of December 17, 2013, be approved as written and presented, motion carried by unanimous vote.**
- II. Mr. Robinson presented the E-Quote reports for product listings in four categories and requested approval of the following:
 - A. That the products listed below be granted exceptions to the standard pack size, inasmuch as the items are packaged nationally or meet other exceptions as indicated and be approved for listing in the approved products list effective February 2, 2014:

<u>COMPANY/ADA</u>	<u>PRODUCT</u>	<u>PACK SIZE</u>
Jim Beam Brands Co.	750ml Jim Beam Single Barrel Bourbon	6 Bottles
(NWS Michigan, Inc.)	50ml Pinnacle Cinnabon Cinn Roll Vodka	96 Bottles
Castle Brands (USA) Corp.	750ml Jefferson's Ocean Aged at Sea	6 Bottles
(General Wine & Liquor Co.)		
Constellation Brands, Inc.	375ml Svedka Mango Pineapple Vodka	12 Bottles
(General Wine & Liquor Co.)	375ml Svedka Strwbry Lemonade Vodka	12 Bottles

Chatham Imports, Inc. (NWS Michigan, Inc.)	750ml Crop Organic Cucumber Vodka	6 Bottles
	750ml Crop Organic Harvest Earth Vodka	6 Bottles
	750ml Crop Organic Tomato Vodka	6 Bottles
Frank-Lin Distillers Products, Ltd. (General Wine & Liquor Co.)	750ml Whiskey Sister Bourbon	6 Bottles
International Spirits & Wines, LLC (NWS Michigan, Inc.)	375ml Buckwheat Otay Whiskey	12 Bottles
	750ml Curious Gin	6 Bottles
	375ml Defiant Rye Whiskey	12 Bottles
	750ml Peace Vodka	6 Bottles
	375ml Wicked White Whiskey	12 Bottles
Park Street Imports LLC (General Wine & Liquor Co.)	1000ml Atlantico Platino Rum	6 Bottles
Park Street Imports LLC (NWS Michigan, Inc.)	200ml Godet Antartica Cognac	12 Bottles
	50ml Godet Antartica Cognac	96 Bottles
	750ml Godet Antartica Cognac	6 Bottles
Pernod Ricard USA, LLC (NWS Michigan, Inc.)	750ml Green Spot Whiskey	6 Bottles
	750ml Redbreast Irish Whiskey 21 yr.	3 Bottles
Proximo Spirits, Inc. (General Wine & Liquor Co.)	200ml Maestro Dobel Diamond Tequila	24 Bottles
St. George Spirits Inc. (NWS Michigan, Inc.)	750ml St. George Pear Brandy	6 Bottles
	750ml St. George Raspberry Brandy	6 Bottles
	750ml St. George Raspberry Liqueur	6 Bottles
	750ml St. George Spiced Pear Liqueur	6 Bottles
Skyy Spirits, LLC (General Wine & Liquor Co.)	375ml Bulldog Gin	12 Bottles
	750ml Bulldog Gin	6 Bottles
	1000ml Bulldog Gin	6 Bottles
Diageo Americas, Inc. (NWS Michigan, Inc.)	750ml Caol Ila Stichel Res. Scotch	6 Bottles
	750ml Convalmore 36 yr. Scotch	6 Bottles
	750ml Port Ellen 34 yr. Scotch	6 Bottles
USA Wine Imports, Inc. (General Wine & Liquor Co.)	750ml Domaine D'Epserance 1995 Brandy	6 Bottles
	750ml Domaine D'Epserance 1998 Brandy	6 Bottles
	750ml Domaine D'Epserance 5 Ans Brandy	6 Bottles
	750ml Domaine D'Epserance Blanche	6 Bottles
	750ml Domaine D'Epserance XO	6 Bottles
	375ml Goutte De Mauzac Rose Brandy	6 Bottles
	375ml Goutte De Poire Williams Brandy	6 Bottles
	375ml Goutte De Prunelart Brandy	6 Bottles
	375ml Goutte De Reine-Claude Brandy	6 Bottles
	750ml Guillon-Painturaud Hors D'Age	6 Bottles
	750ml Guillon-Painturaud Renaissance	6 Bottles
	750ml Guillon-Painturaud V.S.O.P.	6 Bottles
	750ml Navarre Vieille Reserve Cognac	6 Bottles
	375ml Navazos Palazzi Montilla Brandy	6 Bottles
	750ml Navazos Palazzi Ron Oloroso	6 Bottles

375ml Navazos Palazzi Single Fino	6 Bottles
750ml Paul Beau Hors D'Age Cognac	6 Bottles
750ml Paul Beau VSOP Cognac	6 Bottles

- A.** That the products listed below be granted exceptions to the standard pack size, inasmuch as the items are packaged nationally or meet other exceptions as indicated and be approved for listing in the approved products list effective March 2, 2014:

Heaven Hill Distilleries, Inc. (General Wine & Liquor Co.)	750ml Lunazul Primero Tequila	6 Bottles
Savvy Distillers, L.P. (General Wine & Liquor Co.)	50ml Deep Eddy Cranberry PL Vodka	72 Bottles
Whyte and Mackay Americas Limited LLC (General Wine & Liquor Co.)	750ml The Dalmore 25 yr. Scotch	1 Bottle

- B.** That the following requests for addition of product to the approved products list be approved for listing, effective February 2, 2014:

<u>COMPANY/ADA</u>	<u>PRODUCT</u>	<u>PACK SIZE</u>
Jim Beam Brands Co. (NWS Michigan, Inc.)	750ml Cruzan Peach Rum	12 Bottles
	750ml Hornitos Black Barrel	12 Bottles
	750ml Pinnacle Cinnabon Cinn Roll	12 Bottles
	1000ml Pinnacle Cinnabon Cinn Roll	12 Bottles
	1750ml Pinnacle Cinnabon Cinn Roll	6 Bottles
Constellation Brands, Inc. (General Wine & Liquor Co.)	50ml Svedka Mango Pineapple Vodka	120 Bottles
	750ml Svedka Mango Pineapple Vodka	12 Bottles
	1000ml Svedka Mango Pineapple Vodka	12 Bottles
	1750ml Svedka Mango Pineapple Vodka	6 Bottles
	50ml Svedka Strwbry Lemonade Vodka	120 Bottles
	750ml Svedka Strwbry Lemonade Vodka	12 Bottles
	1000ml Svedka Strwbry Lemonade Vodka	12 Bottles
	1750ml Svedka Strwbry Lemonade Vodka	6 Bottles
E. & J. Gallo Winery (General Wine & Liquor Co.)	1750ml Familia Camarena Silver Tequila	6 Bottles
	1000ml New Amsterdam Citron Vodka	12 Bottles
	1000ml New Amsterdam Coconut Vodka	12 Bottles
	1750ml New Amsterdam Coconut Vodka	6 Bottles
	1000ml New Amsterdam Peach Vodka	12 Bottles
	1750ml New Amsterdam Peach Vodka	6 Bottles
	1000ml New Amsterdam Red Berry	12 Bottles
	1750ml New Amsterdam Red Berry	6 Bottles

Grand Traverse Distillery, L.L.C. (General Wine & Liquor Co.)	750ml Gr Trav Cherry Flavor Whiskey	12 Bottles
International Spirits & Wines, LLC (NWS Michigan, Inc.)	375ml Most Righteous Bourbon	24 Bottles
Journeyman Distillery, LLC (General Wine & Liquor Co.)	750ml Flat Lander's Bourbon Whiskey	12 Bottles
	750ml Flat Lander's Gin	12 Bottles
	750ml Flat Lander's Rum	12 Bottles
	750ml Flat Lander's Vodka	12 Bottles
	750ml Flat Lander's Whisky	12 Bottles
Middle West Spirits, LLC (NWS Michigan, Inc.)	750ml Oyo Honey Vanilla Bean Vodka	12 Bottles
	750ml Oyo Rye Whiskey	12 Bottles
	750ml Oyo Stone Fruit Vodka	12 Bottles
	750ml Oyo Vodka	12 Bottles
	750ml Oyo Wheat Whiskey	12 Bottles
Pernod Ricard USA, LLC (NWS Michigan, Inc.)	750ml Absolut Texas Vodka	12 Bottles
	750ml Malibu Orange Float Rum	12 Bottles
	1000ml Malibu Orange Float Rum	12 Bottles
	750ml Malibu Peach Sparkler Rum	12 Bottles
	750ml Malibu Rum Sparkler	12 Bottles
Proximo Spirits, Inc. (General Wine & Liquor Co.)	1000ml El Zarco Gold Tequila	12 Bottles
	1000ml El Zarco Silver Tequila	12 Bottles
	1750ml Three Olives Raspberry Vodka	6 Bottles
USA Wine Imports, Inc. (General Wine & Liquor Co.)	750ml Paul Beau VS Cognac	12 Bottles

That the request of Circus Procession, LLC, holder of 2013 Small Distiller license, for addition of the following products to the approved products list, be approved for listing, effective February 2, 2014; further prior to any sale and distribution of the products through the Commission's spirit distribution system, Circus Procession, LLC, must submit and receive Commission approval for an amended liquor quotation which designates an Authorized Distribution Agent for these products:

<u>PRODUCT</u>	<u>PACK SIZE</u>
750ml Coppercraft Gin	12 Bottles
750ml Coppercraft Rum	12 Bottles
750ml Coppercraft Vodka	12 Bottles

That the request of Two James Spirits LLC, holder of 2013 Small Distiller license, for addition of the following products to the approved products list, be approved for listing, effective February 2, 2014; further prior to any sale and distribution of the products through the Commission's spirit distribution system, Two James Spirits LLC, must submit and receive Commission approval for an amended liquor quotation which designates an Authorized Distribution Agent for these products:

<u>PRODUCT</u>	<u>PACK SIZE</u>
750ml Corktown Distillery Gin	12 Bottles
750ml Corktown Distillery Rye Dog	12 Bottles
750ml Corktown Distillery Vodka	12 Bottles
750ml Corktown Distillery Whiskey	12 Bottles

B. That the following requests for addition of product to the approved products list be approved for listing, effective March 2, 2014:

<u>COMPANY/ADA</u>	<u>PRODUCT</u>	<u>PACK SIZE</u>
Sazerac North America, Inc. (NWS Michigan, Inc.)	750ml 99 Peppermint Schnapps	12 Bottles
Oregon Brewing Company (NWS Michigan, Inc.)	750ml Rogue Farms Oregon Single Malt	12 Bottles
Pernod Ricard USA, LLC (NWS Michigan, Inc.)	50ml Malibu Orange Float Rum PL	120 Bottles
Savvy Distillers, L.P. (General Wine & Liquor Co.)	750ml Deep Eddy Cranberry Vodka	12 Bottles
	1000ml Deep Eddy Cranberry Vodka	12 Bottles
	1750ml Deep Eddy Cranberry Vodka	6 Bottles

C. That the following requests for promotional or special packaging be approved for listing, effective February 2, 2014:

<u>COMPANY/ADA</u>	<u>PRODUCT</u>	<u>PACK SIZE</u>
Bacardi U.S.A., Inc. (General Wine & Liquor Co.)	750ml DeWar's Spec 12 yr. w/Flask	12 Bottles
Sazerac North America, Inc. (NWS Michigan, Inc.)	750ml Calypso Spiced Rum w/Coke	6 Bottles
Jim Beam Brands Co. (NWS Michigan, Inc.)	750ml Jim Beam w/50ml JB Maple	12 Bottles
	750ml Red Stag w/50ml RS Spiced	12 Bottles
Pernod Ricard USA, LLC (NWS Michigan, Inc.)	750ml Jameson w/Shot Gls	12 Bottles
	375ml Seagram's Variety w/50ml Peach	24 Bottles
Diageo Americas, Inc. (NWS Michigan, Inc.)	1750ml Capt Morgan White w/2-50mls	6 Bottles

C. That the following requests for promotional or special packaging be approved for listing, effective March 2, 2014:

<u>COMPANY/ADA</u>	<u>PRODUCT</u>	<u>PACK SIZE</u>
Bacardi U.S.A., Inc. (General Wine & Liquor Co.)	1750ml Bacardi Superior w/l phone Spkr	6 Bottles
	750ml DeWar's Highlander Honey w/Coke	6 Bottles

D. That the following requests for deletion of product from the approved products list be approved for delisting, effective February 2, 2014:

<u>COMPANY</u>	<u>PRODUCT</u>	<u>PACK SIZE</u>
Jim Beam Brands Co. (NWS Michigan, Inc.)	750ml Canadian Club w/Red Wing Logo GI	6 Bottles
	375ml Cour VS w/50ml Pucker Apple Sass	12 Bottles
	750ml Courvoisier Rose w/Carafe	6 Bottles
	375ml Courvoisier VS w/50ml Cour Rose	12 Bottles
	375ml Courvoisier VSOP w/50ml Cour C	12 Bottles
	750ml Courvoisier VSOP w/Gls	6 Bottles
	750ml Cruzan 9 w/Gls	6 Bottles
	750ml Effen Cucumber w/Gls	6 Bottles
	200ml Gilbey's D L D w/50ml Gin PL	24 Bottles
	375ml Gilbey's D L D w/50ml Gin PL	24 Bottles
	750ml Hornitos Rep w/50ml Lime Shot	6 Bottles
	750ml Hornitos Rep w/Shot & Beer GI	6 Bottles
	750ml Jim Beam w/Kid Rock T-Shirt	6 Bottles
	750ml Red Stag w/2-50mls & Shot GI	6 Bottles
	750ml Red Stag w/50ml H Tea or Spice	12 Bottles
	750ml Red Stag w/50ml H Tea or Spiced	12 Bottles
Circus Procession, LLC (Small Distiller)	750ml Coppercraft Gin	6 Bottles
	750ml Coppercraft Rum	6 Bottles
	750ml Coppercraft Vodka	6 Bottles
Sidney Frank Importing Co., Inc. (General Wine & Liquor Co.)	750ml Barenjager Honey & Tea	12 Bottles

Moved by Commissioner Quimby, supported by Commissioner Olshove, that the above actions be taken in accordance with the E-Quote reports dated January 10, 2014, motion carried by unanimous vote.

III. Mr. Robinson presented licensee requests for special price reductions on spirit products in accordance with the provisions of the Commission's Order of September 11, 2012 regarding special price reductions on spirit products, which was effective on January 1, 2013. He advised there were thirty three (33) different licensees requesting price reductions; that 336 product price reductions could be approved; and that 1 product price reduction should be denied.

Moved by Commissioner Quimby, supported by Commissioner Olshove, that the 336 special price reductions be approved as indicated on the attached Approval for Price Reduction on Liquor reports, motion carried by unanimous vote.

Moved by Commissioner Quimby, supported by Commissioner Olshove, that the 1 special price reduction be denied for the reasons stated in the attached Notification of Denial for Price Reduction reports, motion carried by unanimous vote.

- IV. Mr. Robinson requested approval of a bulletin for the submission of quotations for Price List No. 234, which is effective May 4, 2014. He advised this is a quarterly reminder that is sent to Vendors of Spirits and Vendor Representatives to remind them of the deadlines for the next price book.

Moved by Commissioner Quimby, supported by Commissioner Olshove, that Bulletin 2014-01, be approved as written and presented, motion carried by unanimous vote.

- V. Ms. Wendt presented two requests for declaratory ruling received on December 20, 2013 from Attorney Phillip L. Ellison, on behalf of Dennis R. Bitterman (Bitterman), who holds Class C and Specially Designated Merchant licenses in Oakley Village, Saginaw County. The first request relates to a specific fact situation that is the subject of a pending complaint regarding the constitutionality of warrantless searches of licensed premises by Commission investigators and law enforcement provided for in MCL 436.1217(2). The second request relates to a specific fact situation that is the subject of pending complaints regarding the constitutionality of administrative rule R 436.1015(1), which requires the liquor license to be prominently displayed and framed under a transparent material in the licensed premises, and the constitutionality of administrative rule R 436.1405(1), which requires the posting of a sign stating the total capacity of each public room in the licensed premises. Assistant Attorney General Geissler stated that Bitterman has pending violations involving the same facts and legal issues that are the subject of the declaratory ruling request and has ongoing litigation in the Saginaw County Circuit Court against the local law enforcement agency. A brief discussion was held on the two requests.

Moved by Chairman Deloney, supported by Commissioner Olshove and carried by unanimous vote, that the request for a declaratory ruling for the Constitutionality of Rule 436.1015(1), and Constitutionality of Rule 436.1405(1), be denied.

Moved by Chairman Deloney, supported by Commissioner Olshove and carried by unanimous vote, that the request for a declaratory ruling for the Constitutionality of MCL 436.1217(2), be denied.

- VI. Old Business.

There was no Old Business.

VII. New Business.

There was no New Business.

VIII. Public Comments.

There were no Public Comments.

With no further business, moved by Commissioner Quimby, supported by Commissioner Olshove, that the business meeting be adjourned at 9:51 a.m., motion carried by unanimous vote.

Anita Fawcett
Executive Services

Andrew J. Deloney
Chairman